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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/691,237	10/23/2003	Sehat Sutardja	MP0320	5999

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EXAMINER

PRENTY, MARK V

ART UNIT	PAPER NUMBER
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2822

DATE MAILED: 01/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/691,237

Applicant(s)

SUTARDJA, SEHAT

Examiner

MARK V PRENTY

Art Unit

2822

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 11-14, 16-21, 23 and 24 is/are allowed.
- 6) ☒ Claim(s) 1, 2, 5-8, 15 and 22 is/are rejected.
- 7) ☒ Claim(s) 3, 4, 9 and 10 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

This Office Action is in response to the papers filed on October 23, 2003.

Figure 4 is objected to because it incorrectly depicts right-hand side Drain 12 as having p^+ conductivity (i.e., right-hand side Drain 12, like left-hand side Drain 12 and the Sources 16, has n^+ conductivity). Correction is required.

The specification is objected to because its disclosure: "The first body is in contact with the first gate or spaced from the first gate," (page 2, paragraph [0007]), and "The body 66 may touch or not touch the gates 58," (page 5, paragraph [0022]), is unclear. Specifically, it is unclear whether the body is actually in physical and/or electrical contact with the gate OR if its perimeter merely schematically "contacts" or "touches" the gate in plan view (given the "or spaced from the first gate" and "or not touch the gates" alternative contexts). Clarification is required.

The specification is objected to because its description of Figure 9 is incorrect. Specifically, the specification at page 6, paragraph [0024], incorrectly describes Fig. 9's body contact 80 as "not located in the body 66" (Fig. 9 illustrates body contact 80 as being located in body 66). Correction is required.

Claims 5, 15 and 22 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, dependent claims 5, 15 and 22 are indefinite in reciting: "wherein said first body is in contact with said first gate," because independent claims 1, 11 and 18, on which claims 5, 15 and 22 respectively depend, recite that the first body is surrounded by said first source.

Claims 1, 2 and 6 are rejected under 35 U.S.C. 102(b) as being anticipated by Davies (United States Patent 6,281,549).

With respect to independent claim 1, Davies discloses an integrated circuit (see the entire patent, including the Fig. 1 disclosure) comprising: a first source 4; a first drain 2; a first gate 10 that is arranged between said first source and said first drain; and a first body 11 that is arranged inside of and is surrounded by said first source.

Claim 1 is thus rejected under 35 U.S.C. 102(b) as being anticipated by Davies.

With respect to dependent claim 2, Davies's first source 4 and first drain 2 include n^+ regions and its first body 11 includes a p^+ region.

Claim 2 is thus rejected under 35 U.S.C. 102(b) as being anticipated by Davies.

With respect to dependent claim 6, Davies's first body 11 is spaced from its first gate 10.

Claim 6 is thus rejected under 35 U.S.C. 102(b) as being anticipated by Davies.

Claims 1, 2 and 6-8 are rejected under 35 U.S.C. 102(e) as being anticipated by Mattei et al. (United States Patent 6,740,930 – hereafter Mattei).

With respect to independent claim 1, Mattei discloses an integrated circuit (see the entire patent, including the Fig. 2A disclosure) comprising: a first source S/26; a first drain D; a first gate 23 that is arranged between said first source and said first drain; and a first body 27 that is arranged inside of and is surrounded by said first source.

Claim 1 is thus rejected under 35 U.S.C. 102(e) as being anticipated by Mattei.

With respect to dependent claim 2, Mattei's first source S/26 and first drain D include n^+ regions and its first body 27 includes a p^+ region (see column 3, lines 64-65).

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Claim 2 is thus rejected under 35 U.S.C. 102(e) as being anticipated by Mattei.

With respect to dependent claim 6, Mattei's first body 27 is spaced from its first gate 23.

Claim 6 is thus rejected under 35 U.S.C. 102(e) as being anticipated by Mattei.

With respect to dependent claim 7, Mattei's integrated circuit further comprises a second drain D; and a second gate 23 that is arranged between first source S/26 and first drain D.

Claim 7 is thus rejected under 35 U.S.C. 102(e) as being anticipated by Mattei.

With respect to dependent claim 8, Mattei's first and second gates 23 are connected (note column 1, lines 37-39).

Claim 8 is thus rejected under 35 U.S.C. 102(e) as being anticipated by Mattei.

Claims 3, 4, 9 and 10 are objected to as being dependent upon a rejected base claim, but would be allowable over the prior art of record if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 11-14, 16-21, 23 and 24 are allowable over the prior art of record.

The prior art of record does not disclose or suggest the allowable integrated circuits taken as a whole, including the first body.

Registered practitioners can telephone the examiner at (571) 272-1843. Any voicemail message left for the examiner must include the name and registration number of the registered practitioner calling, and the Application/Control (Serial) Number. Technology Center 2800's general telephone number is (571) 272-2800.

Mark Prenty
Mark V. Prenty
Primary Examiner